

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:	)	Chapter 11
	)	
W. R. GRACE & CO., et al.	)	Case No. 01-01139 (JKF)
	)	(Jointly Administered)
Debtors.	)	
	)	Re: Docket Nos. 21257, 21379, 21532,
	)	21533

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**DEBTORS' COUNTER-DESIGNATION OF ITEMS TO BE  
INCLUDED IN THE RECORD ON APPEAL**

Debtors, in accordance with Federal Rule of Bankruptcy Procedure 8006 and Local Bankruptcy Rule 8006-1, hereby designate additional items to be included in the record for Anderson Memorial Hospital's appeal (Dkt. 21379) from the April 13, 2009 Memorandum Order of the United States Bankruptcy Court for the District of Delaware (Dkt. 21257).

**Additional Items From the Bankruptcy Court Docket to be Included in the Record on  
Appeal**

	<b>Date</b>	<b>Bankruptcy Dkt. No.</b>	<b>Description</b>
	1/14/1993	16422, Ex. 1 <sup>1</sup>	<i>Anderson Memorial, Court of Common Pleas, County of Hampton, South Carolina, No. 92-CP-25-279, First Amended Class Action Complaint</i>
	4/4/1994	16422, Ex. 2	<i>Anderson Memorial, Court of Common Pleas, County of Hampton, South Carolina, No. 92-CP-25-279, Defendants' Motion to Strike Class Action Allegations as to Non-Residents Whose Causes of Action are Foreign to South Carolina</i>
	7/6/1994	16422, Ex. 4	<i>Anderson Memorial, Court of Common Pleas, County of Hampton, South Carolina, No. 92-CP-25-279, Transcript of Hearings Before Honorable William L. Howard, July 6, 1994: pgs. 69-72</i>
	8/12/1994	16422, Ex. 5	<i>Anderson Memorial, Court of Common Pleas, County of Hampton, South Carolina, No. 92-CP-25-279, Memorandum Order Granting Certain Defendants' Motion to Strike Class Allegations as to Non-Residents Whose Causes of Actions are Foreign to South Carolina</i>
	5/31/1996	16422, Ex. 9	<i>Anderson Memorial, Court of Common Pleas, County of Hampton, South Carolina, No. 92-CP-25-279, Order Denying Anderson Memorial's Motion to Reconsider</i>
	9/5/1996	16422, Ex. 10	<i>Anderson Memorial, Court of Common Pleas, County of Hampton, South Carolina, No. 92-CP-25-279, Anderson Memorial's Second Amended Class Action Complaint</i>

<sup>1</sup> Documents enumerated as Bankruptcy Dkt. No. "16422, Ex. \_\_" are Debtors' Exhibits to the July 5, 2007 *Anderson Memorial* Class Certification hearing held in the Bankruptcy Court, the transcript of which is Bankr. Ct. Docket No. 16422.

	3/5/1998	16422, Ex. 13	<i>Anderson Memorial, Court of Common Pleas, County of Hampton, South Carolina, No. 92-CP-25-279, Affidavit of Robert Beber in Support of Defendants' Opposition to Anderson Memorial's Motion to Certify a Class, with Exhibits</i>
	3/5/1998	16422, Ex. 14	<i>Anderson Memorial, Court of Common Pleas, County of Hampton, South Carolina, No. 92-CP-25-279, Defendants' Memorandum in Opposition to Class Certification</i>
	5/26/1998	16422, Ex. 16	<i>Anderson Memorial, Court of Common Pleas, County of Hampton, South Carolina, No. 92-CP-25-279, Defendants' Response to Plaintiffs' Reply Brief, with Exhibits</i>
	10/19/2000	16422, Ex. 17	<i>Anderson Memorial, Court of Common Pleas, County of Hampton, South Carolina, No. 92-CP-25-279, Affidavit of Richard Finke, with Exhibit</i>
	10/23/2000	16422, Ex. 18	<i>Anderson Memorial, Court of Common Pleas, County of Hampton, South Carolina, No. 92-CP-25-279, Certain Defendants' Post-Hearing Brief in Opposition to Class Certification, Anderson Memorial, with Exhibits</i>
	2/9/2001	16422, Ex. 20	<i>Anderson Memorial, Court of Common Pleas, County of Hampton, South Carolina, No. 92-CP-25-279, Conditional Order Certifying a Statewide Class</i>
	3/5/1998	16422, Ex. 21	<i>Anderson Memorial, Court of Common Pleas, County of Hampton, South Carolina, No. 92-CP-25-279, Memorandum of Defendants W. R. Grace in Response to February 9 Show Cause Order</i>
	3/19/2001	N/A	<i>Anderson Memorial, Court of Common Pleas, County of Hampton, South Carolina, No. 92-CP-25-279, March 19, 2001 hearing transcript</i>
	4/2/2001	1	Voluntary Petition Under Chapter 11
	5/7/2001	16422, Ex. 25	<i>Anderson Memorial, Court of Common Pleas, County of Hampton, South Carolina, No. 92-CP-25-279, Letter from Judge Hayes to Dan Speights</i>
	5/24/2001	N/A	Letter giving notice of election of co-chairpersons of Property Damage Committee

7/5/2001	16422, Ex. 26	<i>Anderson Memorial, Court of Common Pleas, County of Hampton, South Carolina, No. 92-CP-25-279, Final Certification Order</i>
4/12/2002	1926	Notice of Filing Revised Bar Date Notice Plan
4/15/2002	1930	Affidavit of Service of Bar Date Notice Plan, Proof of Claim Forms, and Related Materials
5/6/2002	2018	Notice of Appeal
5/13/2002	2057	Transcript of 4/22/2002 Hearing
7/8/2002	2347	Debtors' Response to Motion of the Asbestos Property Damage Committee for Clarification of the Bar Date Order, Extending or Abating Deadlines and Modification of the Bar Date Order
3/30/2003	N/A	Claim No. 11008 (Anderson Memorial Hospital Individual Claim)
7/21/2004	6009	Order Granting Debtors Leave from Local Rule 3007-1
10/22/2004	6715	Revised Order Requiring Filing of Statements Pursuant to Fed.R.Bankr.P. 2019
10/25/2004	6712	Order Denying Motion of Intercat, Inc. for Leave to File Late Proof of Claim
12/20/2004	7221	Verified Statements of Multiple Representation and Exhibits
1/6/2005	7462	Transcript of 9/27/2004 Hearing
6/17/2005	8640	Debtors' Twelfth Omnibus Objection to Certain Claims Filed by the Law Firm of Speights & Runyan (Non-Substantive)
6/21/2005	8645	Notice of Rule 30(b)(6) Deposition of American Medical Association
6/21/2005	8646	Notice of Rule 30(b)(6) Deposition of Maryland Casualty Company

	6/21/2005	8650	Notice of Rule 30(b)(6) Deposition of The Harvard Vanguard Medical Associates Management Offices
	6/29/2005	8710	Notice of Withdrawal of Claim No. 6661
	6/29/2005	8712	Notice of Withdrawal of Claim No. 6726
	6/29/2005	8713	Notice of Withdrawal of Claim No. 6721
	6/29/2005	8778	Notice of Withdrawal of Claim No. 11591
	9/22/2005	9488	Order Denying Pacific Corp. and VanCott Bagley Cornwall & McCarthy Motion for Leave to File Late Proofs of Claim
	9/27/2005	9517	Order Allowing Withdrawal of Certain Claims Filed by the Law Firm of Speights & Runyan
	9/30/2005	9546	Debtors' Brief in Support of the Disallowance and Expungement of 1,900 Improper Claims Filed by the Law Firm of Speights & Runyan
	11/1/2005	10961	Order for the Withdrawal and Expungement of 1495 Asbestos PD Claims
	12/2/2005	11245	Debtors' brief in opposition to Anderson Memorial's motion for class certification
	12/19/2005	11365	Debtors' Motion for a Protective Order Against Anderson Memorial's Requests for 30(b)(6) Depositions and Documents
	1/3/2006	11473	Transcript of 12/19/2005 Hearing
	1/10/2006	11520	Debtors' Objection to Anderson Memorial Hospital's Motion for Limited Relief From the Automatic Stay
	1/13/2006	11547	Debtors' Brief Describing the Purpose that Publication Notice Served in the Debtors' Bar Date Notice Program
	2/3/2006	11712	Debtors' Brief in Support of the Disallowance of 71 Claims
	8/3/2006	12919	Transcript of 7/24/2006 Hearing
	8/31/2006	13120	Order Setting Various Deadlines Regarding Objections to Asbestos Property Damage Claims, with Exhibits

	9/15/2006	13236	Debtors' Supplement to Objection to Anderson Memorial's Motion for Limited Relief from Automatic Stay
	10/13/2006	13406	Order [AMENDED] Setting Various Deadlines Regarding Objections to Asbestos Property Damage Claims, with Exhibits
	10/13/2006	13412	Debtors' Motion for Leave to File a Reply in Support of is Motion for Protective Order Against Anderson Memorial's Request for 30(B)(6) Depositions and Documents
	10/24/2006	13457	Order Disallowing and Expunging as Time-Barred Two Asbestos PD Claims Filed by Prudential Insurance Company on Account of Building Locating in Georgia
	10/30/2006	N/A	Anderson Memorial Hospital's October 30, 2006 Amended Requests for Production
	11/6/2006	13588	Debtors' Motion for Protective Order Against Anderson Memorial's October 30, 2006 Requests for 30(b)(6) Depositions and Documents
	11/10/2006	13630	Debtors' Supplemental Brief re Federal Rule of Evidence 408 in Support of Their Motion for Protective Order Against Anderson Memorial's Requests for 30(b)(6) Depositions and Documents, with Exhibits
	12/13/2006	N/A	Debtors' Responses and Objections to Anderson Memorial Hospital's October 30, 2006 Amended Requests for Production
	12/21/2006	14136	December 21, 2006 Expert Report of Graeme Mew, Opinion Limitations Issues
	1/3/2007	14205	Transcript of 12/18/2006 Hearing
	1/5/2007	14236	Debtors' Response to Anderson Memorial Hospital's Motion to Compel Deposition of Debtors' Records Custodian
	1/17/2007	N/A	Debtors' Response to Anderson Memorial Hospital's October 30, 2006 Amended Requests for Production, with enclosures
	4/2/2007	16422, Ex. 60	Federal Mogul Hearing Transcript: Pages 31-44

	4/2/2007	15062	Amended Motion to Compel Filed by Anderson Memorial Hospital.
	5/2/2007	16422, Ex. 61	Federal Mogul Hearing Transcript: Pages 11-77
	5/23/2007	15801	Anderson Memorial Hospital's Motion to Strike the Debtors' December 12, 2006 Responses and Objections to Anderson Memorial Hospital's October 30, 2006 Amended Requests for Production and Compel Complete Responses
	5/28/2007	15826	Debtors' Response to Anderson Memorial Hospital's Motion to Strike the Debtors' December 13, 2006 Responses and Objections to Anderson Memorial Hospital's Motion to Compel the Debtors to Provide Full and Complete Responses to Anderson Memorial Hospital's October 30, 2006 Amended Requests for Production
	6/7/2007	N/A	Letter from L. Esayian to D. Speights re Anderson Memorial Class Certification Hearing
	6/13/2007	N/A	Letter from M. Dierkes to D. Speights enclosing documents in response to Anderson Memorial's Amended Requests for Production
	6/15/2007	N/A	Grace's Supplemental Response to Anderson Memorial Hospital's October 23, 2006 Amended Requests for Production
	7/13/2007	16273	Transcript of 6/29/2007 Hearing
	7/30/2007	16422	Transcript of 7/5/2007 Hearing
	12/7/2007	17572	Memorandum Affirming Bankruptcy's Court Order Dated April 17, 2007
	12/7/2007	17573	Order Affirming Bankruptcy Court's Order Dated April 17, 2007
	6/9/2008	18895	Notice of Appeal
	6/9/2008	18896	Anderson Memorial's Motion for Leave to Appeal Order Denying Class Certification
	6/19/2008	18962	Brief In Opposition To Anderson Memorial's Application For Appeal Of Order Denying Class Certification Under

			Fed. R. Bankr. P. 7023
	7/15/2008	19091	Order Granting the Motion of Anderson Memorial Hospital for Leave to File Reply in Support of its Application for Appeal of Order Denying Class Certification
	9/8/2008	19491	Memorandum Regarding Anderson Memorial's Motion for Leave to Appeal
	9/8/2008	19492	Order Denying Anderson Memorial's Motion for Leave to Appeal
	11/14/2008	20031	Memorandum Denying Anderson Memorial's Motion for Leave to Appeal
	11/14/2008	20032	Order Denying Anderson Memorial Hospital's Motion to Reconsider Denial of Motion for Leave to Appeal
	11/20/2008	20111	Status Report (Debtors') Regarding Anderson Memorial Hospital's Class Proofs of Claim (#9911 and #9914)

**District Court Docket No. # 1:07-cv-00287-RLB**

	Date	District Court Dkt.	Description
	7/16/2007	7	Appellant's Brief
	8/20/2007	8	Appellee's Brief
	9/21/2007	15	Appellant's Reply Brief
	1/4/2008	20	Notice of Appeal
	4/2/2009	24	Mandate of U.S. Court of Appeals for Third Circuit

**U.S. Court of Appeals for Third Circuit Docket No. # 08-1044**

	Date	COA Dkt.	Description
	4/21/2008	N/A	Appellants' Brief
	5/21/2008	N/A	Appellee's Brief



	6/23/2008	N/A	Appellants' Reply Brief
	3/11/2009	N/A	Opinion
	3/11/2009	N/A	Judgment

**District Court Docket No. # 1:08-mc-00118-RLB**

	<b>Date</b>	<b>District Court Dkt.</b>	<b>Description</b>
	6/19/2008	2	Opposition filed by W. R. Grace & Co.
	10/1/2008	13	Debtors' Brief in Opposition to Anderson Memorial's Motion for Reconsideration
	12/12/2008	16	Notice of Appeal

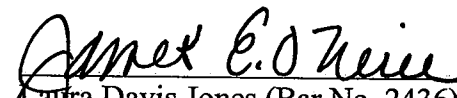
Dated: May 14, 2009

Respectfully submitted,

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